

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 15, 1963
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. WM. C. ANDERSON, First Congregational Church.

MR. J. T. BAUMGARTNER inquired about the acquisition of City property between Redwood and Greenwood Streets, stating MR. JOE BOYER needed to expand his business. Previously the City had purchased the rear of his property for a golf course, and now Mr. Boyer would like to have the property across the street. He offered \$2000 an acre, would waive severance damages when Pershing Avenue is constructed; would give the property for the Pershing Avenue right of way at the price paid per square foot on the whole tract. The City Manager stated the recommendation was made that nothing be done until after the street was built. The Mayor pointed out the plans for this property were not yet known and the location and amount of right of way was not yet decided. The City Attorney stated if a tract was large enough (after the right of way had been taken) to be used as a separate parcel, it was ordinarily sold to the highest bidder; and explained the policy of selling tracts not large enough to be a separate parcel to the adjoining property owner. Councilman LaRue wanted to make an on-site inspection of this land. The Mayor stated the Council would give Mr. Baumgartner an answer at a later date after Councilman LaRue had a chance to look at this area and proposed thoroughfare.

Councilman White moved that the Minutes of the Special Meeting of May 6th, and of the Regular Meetings of July 25th and August 8th, 1963, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

After explanation by the City Manager Mayor Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL A PORTION OF DUNBAR AVENUE; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"CITY OF AUSTIN BIDS ON TRUCKS - SANITARY SEWER DIVISION

"Sealed bids opened 2:00 P.M. August 7, 1963
 Tabulated by: O.G. Brush, Purchasing Agent

Bid No.	Description	Quantity	Capitol Chevrolet Co.	Armstrong-Johnson	Dependable Motors	International Harvester
0655	2-ton Low Cab Dump Truck w/4-5 cu.yd. bed Including 2 trade-ins per City Specs.	2 ea.	\$7,559.62	No bid	No bid	<u>\$7,000.00</u>
	Manufacturer		Chevrolet L-6303			International 1700
			Longhorn Truck & Equipment Co.			
			\$7,800.00			
			Diamond T P-2000			

"These trucks are for replacement of trucks on which maintainance has become prohibitive. Bids were sent to all firms in Austin who were able to bid. International Harvester Company meets all City specifications.

"RECOMMENDATION: Recommend order be awarded International Harvester as lowest and best bid.

"W. T. Williams, Jr. City Manager"

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 7, 1963, for two 2-ton low cab dump trucks with 4-5 cu.yd. beds for use by the Sanitary Sewer Division of the City of Austin; and,

WHEREAS, the bid of International Harvester, in the sum of \$7,000.00 and two trade-ins, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of International Harvester, in the sum of \$7,000.00 and two trade-ins, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with International Harvester.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted the following:

"August 14, 1963

"To: Honorable Mayor and Members of the City Council

Subject: Bids for Garbage Trucks, Sanitation Division, Public Works

"The following bids for twelve (12) refuse collection bodies mounted on truck cab and chassis, complete, fully equipped, according to the specifications and conditions of the proposal were received at the office of the Purchasing Agent on July 26, 1963 at 2:00 P.M. Twelve trucks, 1946 through 1952 models, were traded in on the new units. The City's estimated cost for the twelve units was \$82,800 including trade-ins.

Bidder	Truck Make	Body Make	Bid Price Less Trade-In Net - 12 Units
International Harvester Co.	International	Pak Mor	\$72,484.00
Dependable Motors	Dodge	E-Z Pak	73,658.00
International Harvester Co.	International	E-Z Pak	74,980.00
Pak Mor Mfg. Co.	Ford	Pak Mor	75,084.00

Bidder	Truck Make	Body Make	Bid Price Less Trade-	
			In	Net - 12 Units
International Harvester Co.	International	Hyd-Pak	\$75,747.00	
Armstrong Johnson	Ford	Hyd-Pak	75,780.00	
Dependable Motors	Dodge	Hyd-Pak	76,790.00	
Seal Press	Ford	Seal Press	76,800.00	
Pak Mor Mfg. Co.	Chevrolet	Pak Mor	77,328.00	
Capitol Chevrolet Co.	Chevrolet	E-Z Pak	79,927.04	
International Harvester Co.	International	Heil	87,196.00	
Dependable Motors	Dodge	Heil	88,790.00	
Longhorn Truck & Equip.Co.	Diamond T.	Hydropaka	99,252.00	

"In addition to the above, two other bids on complete units were received which did not comply with the specifications and conditions of the proposal. These bids are as follows:

International Harvester Co.	International	Storm-Pak	\$71,788.00
International Harvester Co.	International	Leach	88,300.00

"The Storm-Pak body quoted by International Harvester Company does not meet the specifications on the unloading mechanism. Our specifications required that the unloading mechanism be a "hydraulically operated ejection plate to unload without tilting the body". The Storm-Pak has a semi-hydraulic operation of the paker plate wherein a single stage hydraulic piston propels the plate for approximately 1/3 the length of the body and then activates an A-frame, scissors-like mechanical device to propel the paker plate the remaining 2/3 of the length of the body. All other paker bodies on which bids were received contain multi-stage hydraulic pistons which travel the full length of the body.

"At the time specifications were written for the paker beds, we knew nothing of the Storm-Pak body. A representative of the company told the Public Works Department at the time he took out specifications and bid proposal from that literature on the body was being printed that day. In fact, this company has made only three bodies, two of which are being tested by private garbage haulers and one which was completed just recently and brought to Austin on two occasions for demonstrations. Results of these demonstrations did not indicate that the body was comparable to other bodies of like size which have been tested on the same route. On both demonstration days, considerable difficulty was encountered in the operating mechanisms and in the general design of the Storm-Pak body.

"The bid of International Harvester Company with the Leach body failed to include the latest descriptive literature on the paker body proposed to be furnished and therefore did not conform to the conditions of the bid.

"In view of the above facts, we recommend that the low bid of International Harvester Company bidding on an International truck and Pak-Mor body, conforming to specifications, be awarded the bid at a net cost of \$72,484 including trade-ins.

"W. T. Williams, Jr.
City Manager"

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 14, 1963,

for twelve (12) refuse collection bodies mounted on truck cab and chassis, complete and fully equipped, to be used by the Sanitation Division of the City of Austin; and,

WHEREAS, the bid of International Harvester Company, in the sum of \$72,484.00 and twelve (12) trade-ins, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of International Harvester Company, in the sum of \$72,484.00 and twelve (12) trade-ins, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with International Harvester Company.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, the City Council of the City of Austin by Resolution dated December 31, 1959, authorized the City Manager to enter into a contract for the acquisition of right of way on U. S. Highway 183 near the Montopolis Bridge in Austin, Texas; and,

WHEREAS, acting in compliance with the terms of this contract, the City of Austin has deposited the Special Commissioners' Award and has taken the fee simple title by Final Judgment to that certain tract of land described in a condemnation cause of action Number 281, City of Austin vs. T. C. Steiner, in the County Court of Travis County, Texas; and,

WHEREAS, it is now necessary to transfer the fee simple title to the above referred tract of land and all improvements situated thereon to the State of Texas; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to transfer the fee simple title to the above referred tract of land and all improvements situated thereon to the State of Texas in compliance with the above described contract.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, the City Council of the City of Austin by Resolution dated December 31, 1959, authorized the City Manager to enter into a contract for the acquisition of right of way on U. S. Highway 183 near the Montopolis Bridge in Austin, Texas; and,

WHEREAS, acting in compliance with the terms of this contract, the City of Austin has deposited the Special Commissioners' Award and has taken the fee simple title by Final Judgment to that certain tract of land described in a condemnation cause of action Number 289, City of Austin vs. Mary Cloud Howard, et al, in the County Court of Travis County, Texas; and,

WHEREAS, it is now necessary to transfer the fee simple title to the above referred tract of land and all improvements situated thereon to the State of Texas; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to transfer the fee simple title to the above referred tract of land and all improvements situated thereon to the State of Texas in compliance with the above described contract.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, the City Council of the City of Austin by Resolution dated December 31, 1959, authorized the City Manager to enter into a contract for the acquisition of right of way on U. S. Highway 183 near the Montopolis Bridge in Austin, Texas; and,

WHEREAS, acting in compliance with the terms of this contract, the City of Austin has deposited the Special Commissioners' Award and has taken the fee simple title by Final Judgment to that certain tract of land described in a condemnation cause of action Number 287, City of Austin vs. Antona W. Frensley, Individually and as Independent Executric of the Estate of Charles W. Frensley, Deceased, Et Al, in the County Court of Travis County, Texas; and,

WHEREAS, it is now necessary to transfer the fee simple title to the above referred tract of land and all improvements situated thereon to the State of Texas; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to transfer the fee simple title to the above referred tract of land and all improvements situated thereon to the State of Texas in compliance with the above described contract.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin by Resolution dated September 12, 1957, authorized the City Manager to enter into a contract with the State of Texas for the acquisition of right of way for the highway commonly known as "South Belt Loop" and designated by the Texas Highway Department as Highway No. 293, between the west City Limits of the City of Austin near U. S. Highway No. 290 and the City Limits of the City of Austin east of Congress Avenue; and,

WHEREAS, acting in compliance with the terms of this contract, the City of Austin has taken the fee simple title to that certain tract of land described in a condemnation cause of action in Travis County, Texas, Cause Number 238, styled as City of Austin vs. Nora Toad Elliott, Roy C. Elliott and Edward W. Joseph; and,

WHEREAS, it is now necessary to transfer the interest of the City of Austin to the above referred tract of land and all improvements situated thereon to the State of Texas; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to transfer the interest of the City of Austin to the above referred tract of land and all improvements situated thereon to the State of Texas in compliance with the above described contract.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of Citadel Transmission Corporation to construct and maintain a jet fuel pipeline along the hereinafter described space assignment be granted expressly subject to the hereinafter described conditions:

(1) Said jet fuel pipeline shall be constructed and maintained in compliance with all ordinances and laws relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin, and of the State of Texas, now existing or hereafter adopted.

(3) The repair and relocation of any and all utilities in the vicinity necessitated by the laying of said jet fuel line shall be done at the entire expense of Citadel Transmission Corporation.

(4) Citadel Transmission Corporation will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or in any manner connected with the construction or maintenance of said jet fuel line.

(5) Citadel Transmission Corporation will so install said jet fuel line as to provide a ground cover of not less than two and one-half feet or to such greater depths as may be necessary to avoid conflict with other underground utilities.

(6) In giving the space assignment herein described, the City of Austin does not make any representation that said space is or is not clear from other underground utilities or any other public or private improvement.

(7) The excavation in the streets, and the restoration and maintenance of said streets at the entire expense of Citadel Transmission Corporation shall be so accomplished as to conform to the standards and specifications of the Highway Department of the State of Texas and of the Public Works Department of the City of Austin.

(8) The City of Austin may revoke the permit at any time and upon such revocation, the owner of such jet fuel line and its appurtenances will remove the same and pay all costs and expenses attendant therewith.

(9) Said jet fuel line shall be constructed entirely within a five-foot space assignment, the center line of which five-foot wide space assignment is in SHADY LANE, from Custer Road southerly 340 feet and which is ten feet east of and parallel to the west property line of said SHADY LANE.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BRAZOS REALTY CORPORATION FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council approved September 5, 1963, for receiving bids for the new unit of Holly Street Power Station as follows:

- a. Traveling water screens.
- b. Closed feedwater heaters.
- c. Water treating equipment.

The City Manager called attention to the filing of the progress report from the Electric Utilities.

The City Manager reported two weeks ago the matter of selling the remainder of the Berkman Tract was discussed, and the Council suggested that the plans be submitted to the Parks and Recreation Board. Prior to their having a meeting, the Council suggested that the plans be brought for review. The City Manager displayed the plans, showing the location of the tract to be sold, the locations of proposed streets, and the area to be excluded around the creek area, and stated the area to be sold contained 51.36 acres. The Council wanted the Parks and Recreation Board to make a study of these plans also. Councilman Long stated this plan here was a good plan that should be adopted. Councilman LaRue asked that the City Manager recommend to the Council the manner in which to proceed on the sale--take sealed bids, or set a minimum and have a public auction.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction and opening of a grade separation in the vicinity of Westover Road and Winsted Lane in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the construction and opening of the said grade separation; and,

WHEREAS, the City of Austin has negotiated with the owners of said tract of land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

All of Lot 10, Block 3, T. C. Steiners Resubdivision of Lots 6, 7, and 8, Block 11, Westfield "A", a resubdivision by the grantor herein, said Westfield "A" being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Westfield "A" of record in Book 3 at Page 107 of the Plat Records of Travis County, Texas; a map or plat of the T. C. Steiners Resubdivision of Lots 6, 7 and 8, Block 11, Westfield "A" being of record in Book 4 at Page 70 of the Plat Records of Travis County, Texas; SAVE and EXCEPT that certain portion of said Lot 10 which was conveyed to the City of Austin, Travis County, Texas, by warranty deed dated June 25, 1945, of record in Volume 756 at Page 704 of the Deed Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated members of the Council had made inquiry about the intersection of 38th and 38 $\frac{1}{2}$ Streets, and he displayed plans showing the part to be reconstructed. The plan included a cut-off at Red River Street at 38th, but that is proposed for a later time. The 38th and 38 $\frac{1}{2}$ Streets improvement is under contract.

The City Manager stated a report on their studies on property at 29th and Lamar and at 29th and Guadalupe would be ready next week.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a deed on behalf of the City of Austin, conveying to the University of Texas the following described property, to-wit:

0.614 of one acre of land, same being out of and a part of Lots 12 and 13 and parts of Lots 11, 14 and 15, Archway, a subdivision, and being a portion of a street known as Archway which was vacated by the City Council of the City of Austin by ordinance dated September 7, 1961 of record in Volume 2368 at page 93 of the Deed Records of Travis County, Texas; said Archway being a subdivision of Outlot 9, Division "D" of the

Government Outlots adjoining the Original City of Austin; Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said subdivision known as Archway being of record in Book 2 at page 208 of the Plat Records of Travis County, Texas; which Lots 12 and 13 and parts of Lots 11, 14 and 15 were conveyed to the City of Austin by the following two (2) Warranty Deeds:

- (1) Dated November 15, 1929 of record in Volume 448 at page 297 of the Deed Records of Travis County, Texas;
- (2) Dated November 27, 1929 of record in Volume 445 at page 196 of the Deed Records of Travis County, Texas;

Said 0.614 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a galvanized pin set at the northwest corner of said City of Austin tract of land, same being the northwest corner of the herein described tract of land, same being also a point in the south line of East 26-1/2 Street, and the north line of said Lot 11;

THENCE, with the south line of East 26-1/2 Street, same being the north line of said Lots 11 and 12, same being also the north line of the herein described tract of land, S 82° 19' E 41.44 feet to a galvanized pin set at the point of curvature of a curve whose angle of intersection is 52° 24', whose radius is 80.00 feet and whose tangent distance is 39.36 feet;

THENCE, along said curve to the right an arc distance of 73.16 feet, the long chord of which arc bears S 56° 07' E 70.64 feet to a galvanized pin driven into a storm sewer pipe at the point of tangency of said curve, same being the northeast corner of the herein described tract of land, and which galvanized pin is also on the curving west line of San Jacinto Boulevard, said curve having an angle of intersection of 34° 25', a radius of 330.70 feet and a tangent distance of 102.42 feet;

THENCE, along said curve to the right an arc distance of 42.33 feet, the chord of which arc bears S 11° 00' W 41.28 feet to a galvanized pin set at the point of tangency of said curve;

THENCE, continuing with said west line of San Jacinto Boulevard same being the east line of the herein described tract of land, S 11° 22' W 280.89 feet to a cross cut on the back edge of a sidewalk for the southeast corner of the herein described tract of land, same being a point in the north line of East 26th Street, and the south line of said Lot 14;

THENCE, with said north line of East 26th Street, same being the said south line of said Lot 14; N 83° 02' W 25.18 feet to the southwest corner of the herein described tract of land, said being the southwest corner of the aforesaid City of Austin tract of land;

THENCE, with the west line of the herein described tract of land, same being the west line of the aforesaid City of Austin tract of land, with the following two (2) courses:

- (1) N 07° 57' W, at 76.57 feet passing a square pin, at 148.78 feet passing another steel pin, in all a distance of 210.83 feet to a square pin on

the south line of said Lot 11, same being the north line of said street known as Archway which was vacated by ordinance dated September 7, 1961;

(2) N 06° 49' E 150.02 feet to the point of beginning.

HOWEVER, a drainage easement shall be retained in, upon and across the easterly 0.129 of one acre of land of the above described 0.614 of one acre tract of land; said 0.129 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of the above described tract of land, same being a galvanized pin driven into a storm sewer pipe, for the northeast corner of the herein described tract of land and which galvanized pin is also on the curving west line of San Jacinto Boulevard said curve having an angle of intersection of 34° 25', a radius of 330.70 feet and a tangent distance of 102.42 feet;

THENCE, along said curve to the right an arc distance of 42.33 feet, the chord of which arc bears S 11° 00' W 41.28 feet to a galvanized pin set at the point of tangency of said curve;

THENCE, continuing with said west line of San Jacinto Boulevard same being the east line of the herein described tract of land, S 11° 22' W 280.89 feet to a cross cut on the back edge of a sidewalk for the southeast corner of the herein described tract of land, same being a point in the north line of East 26th Street, same being the south line of the aforesaid Lot 14;

THENCE, with said north line of East 26th Street, same being the said south line of the aforesaid Lot 14, N 83° 02' W 25.18 feet to the southwest corner of the herein described tract of land, same being the southwest corner of the aforesaid City of Austin tract of land;

THENCE, with the west line of the herein described tract of land, N 07° 57' W 27.00 feet to a point;

THENCE, continuing with the west line of the herein described tract of land, N 07° 35' E 326.40 feet to a point on a curve having an angle of intersection of 52° 24', a radius of 80.00 feet and a tangent distance of 39.36 feet;

THENCE, along said curve to the right an arc distance of 63.18 feet, the chord of which arc bears S 52° 32' E 61.55 feet to the point of beginning.

The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman LaRue moved that DOWNTOWN OPTIMIST CLUB be granted permission to use City property on Lamar and San Gabriel for their Christmas Tree sales. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Mayor Palmer announced that the following zoning application had been withdrawn at the request of the applicant:

HOWARD D. HALLIBURTON By Miles E. Hutchens	1714 Enfield Road	From "B" Residence 1st Height & Area To "B" Residence 2nd Height & Area NOT Recommended by the Planning Commission
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Pursuant to published notice thereof the following zoning applications were publicly heard:

L. C. REESE and WOODROW WHITE	404-418 Sterzing Street Additional Area: 418 Sterzing Street (Rear)	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "C" Commercial be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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LAWSON RIDGEWAY By J. G. Threadgill	Tract 1: 2700-2716 Anderson Lane	From "B" Residence To "A" Residence RECOMMENDED by the Planning Commission
	Tract 2: 8016-8042 Burnet Road (Rear)	From "C" Commercial To "A" Residence RECOMMENDED by the Planning Commission

Councilman White moved that the change to "A" Residence be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "A" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACK T. BROWN and
HIRAM D. ELLIOTT,
Owners
By Odas Jung, Pur-
chaser

305 East 30th Street
2911-13 San Jacinto
Boulevard

From "LR" Local Retail
2nd Height & Area
To "C-1" Commercial
2nd Height & Area
RECOMMENDED by the
Planning Commission

Councilmen LaRue moved that the change to "C-1" Commercial 2nd Height & Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial 2nd Height & Area and the City Attorney was instructed to draw the necessary ordinance to cover.

H. C. RISCH
By West & Associates

3829-3903 South 1st St.
512-518 Ben White Blvd.

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "GR" General
Retail

Mr. West appeared in behalf of the applicant, stating the "GR" General Retail classification was acceptable. Councilman White moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

SMITH PROPERTIES, INC. 631-639 Gunter Street
By Odas Jung, purchaser

From "D" Industrial 5th
Height & Area
To "C-1" Commercial 5th
Height & Area
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C-1" Commercial 5th Height & Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-1 Commercial

5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

HAROLD S. JOHNSTON	513-515 Kinney Road	From "A" Residence 1st
By Carl C. Hardin, Jr.		Height & Area
		To "C" Commercial 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

Mr. Carl Hardin displayed pictures. He stated the applicants had improved the drainage ditch as suggested by the Department of Public Works. Councilman White moved that the change to "C" Commercial 2nd Height & Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

W. R. NEANES	3911 South 1st Street	From "B" Residence
By William J. Wellman, II	510-514 Clarke Street	To "O" Office
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "O" Office be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

CARL W. GOERICKE, et al	3808-3816 Alice Avenue	From "A" Residence
By Rhea B. Merritt, purchaser	1101-1105 West 39th St.	To "C" Commercial
	Additional Area:	NOT Recommended by the
	3804-3806 Alice Avenue	Planning Commission
		RECOMMENDED "GR" General
		Retail

Councilman Long moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

JOSEPHINE ALFF NENDELL and ALFRED B. NOACK By Sidney Purser	1805-1809 Poquito Street	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission RECOMMENDED "B" Resi- dence 2nd Height & Area
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Councilman Shanks moved that the change be granted to "B" Residence 2nd Height & Area. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "B" Residence 2nd Height & Area and the City Attorney was instructed to draw the necessary ordinance to cover.

NELSON PUETT	1511-1515 Anderson Lane	From "LR" Local Retail To "C-1" Commercial RECOMMENDED by the Planning Commission
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The Mayor read a letter in opposition from the Redeemer Lutheran Church. Representatives from the Church were present inquiring about the 300' distance from their church to this location. This was discussed, and the City Attorney explained how the 300' distance was measured. The City Attorney stated no permit would be issued if the Church were less than 300' irrespective of the zoning. Councilman White moved that the change to "C-1" Commercial be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN JOSEPH, ET AL
By Sue Strein

36-38 Waller Street
1106 Flores Street
1103-1111 Clermont Ave.
Additional Area:
30-32 Waller Street
1104-1108-10 Flores St.
1011-1101 Clermont Ave.
31-39 Interregional Hwy.

From "A" Residence 1st
Height & Area and
"GR" General Retail
1st & 2nd Height &
Area
To "C" Commercial 5th
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "GR"
General Retail

MR. KIRK KUYKENDALL, JR., represented Miss Sue Strein, agent for the proposed purchasers, who want to erect a motel of 108 units. To accept "GR" as recommended would be a hardship on the applicants. The Director of Planning explained the Commission's recommendation in that "C" 5th Height and Area would get into high density, and this area was a key issue in relationship to the Town Lake. "C" would permit many things other than the motel, and this is an ideal location for a motel, and "GR" would assure the establishment of such. MR. HALL was concerned with plans of his property as he was in the Town Lake area. He did not oppose this zoning on this application. After discussion, Mayor Palmer asked Mr. Kuykendall to file a letter stating his intent is to put a tourist motel at this location. Councilman White moved that the change to "C" Commercial 5th Height and Area be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACK C. ADAMS
By John E. Allen

300-520 Anderson Lane
7900-8014 Purnell Drive
211-215 Wonsley Drive

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "GR"
General Retail

The Mayor read a letter from Mr. John E. Allen, Attorney for the applicant. Mr. Allen represented Mr. Adams at the hearing. After discussion, Councilman Long moved that the change to "C" Commercial 1st Height and Area classification be granted as requested. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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J. C. OGLESBY &
J. P. SCHNEIDER

400-404 West 30th St.
3000-3002 Hemphill Park

From "B" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

MRS. GEORGE HARRINGTON appeared in opposition to the zoning change, stating the dressmaking home-occupation could continue without any zoning change. She asked that no change of zoning be made north of 30th Street in this area as it gets too close to Aldridge Place. She reported prowlers in the area, and asked for lights and police protection. The Council wanted to make a personal inspection of the area. Later in the afternoon meeting, Councilman White moved that the change to "O" Office be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilman Long suggested that street lights be placed in the area Mrs. Harrington was discussing.

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TENNIE TAYLOR
By Robert C. Sneed

1103 East 52nd Street

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "BB"
Residence

MR. ROBERT C. SNEED represented the applicant, and described the zoning uses immediately north and west of this tract. He asked that this application be amended to request for "LR" Local Retail. The builder contemplates developing this tract and leasing it out. Councilman LaRue moved that the change be granted to "LR" Local Retail. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. C. A. SCHUTZE
By Robert C. Sneed

1901-1903 Red River
600-604 East 19th St.

From "C" Commercial 2nd
Height & Area
To "C-1" Commercial 2nd
Height & Area
NOT Recommended by the
Planning Commission

MR. SNEED represented the applicants, stating the property is now leased to U-Totem Stores, and it is desired to have beer to go at this location. He stated where there is a drive-up type of grocery there is the sale of beer for off premises consumption, and this pattern has been developed where the stores can meet the standards. This location fits the policy established by the Planning Commission as it is within an established commercial area. Mr. Sneed pointed out with reference to the University, beer was permitted on the west side of Guadalupe. As to the University Junior High School, there would be no beer sold to the students, and the fact there is beer to be sold would not affect the morals of the students involved. He pointed out a huge sign advertising beer, and the students could see this sign far better than they could see the beer that is for sale inside the U-Totem establishment. The University has announced it was taking back the University Junior High School to make it a part of the University system. Councilman Shanks moved that the change to "C-1" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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CAPITAL NATIONAL BANK
TRUSTEE, By W. H.
Bullard

Tract 1:
610-710 St. Johns Ave.
(Rear)
7200-7324 Interregional
Highway

From "A" Residence 1st
Height & Area and
"C" Commercial 5th
Height & Area
To "C-1" Commercial 5th
Height & Area
RECOMMENDED By the
Planning Commission
with condition

Tract 2:
404-608 St. Johns Ave.

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission
with Condition

MR. BULLARD stated this change was for a proposed motel of 150 units with a restaurant. The proposal is to change 15 acres to "C" Commercial and the condition was that the "C-1" Commercial be restricted to the 100' set-back from the Interregional Highway. Councilman Long inquired who would pave Duval. Mr. Bullard stated those who benefited by the street, as it was not his intention to pave the street. He was willing to dedicate one acre of land valued at \$2500. The Director of Planning stated the City could not accept the street without the improvements. One resident on Blackson Avenue objected to the change of zoning, as there is no access from St. John's Avenue to Blackson. In discussion of the application, Mayor Palmer stated the City could not accept the dedication of the street unless it is curbed, guttered, and paved. Two other residents in the area asked that the street be opened as they have no way out. Councilman LaRue stated

he would like to look into all of this a little more, and the Mayor postponed action until more study could be made. Later in the afternoon meeting the Council discussed the improvement of this street. It was brought out if traffic were to be generated by a change in the use of the property, the street should be provided as required; and if the zoning was to create a traffic problem, the zoning should not be changed, as one of the purposes of zoning is to prevent congestion of traffic. After discussion, the Mayor stated the Council would postpone action on the zoning to see if the Planning Director can work something out.

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MISS ANNA GARDNER By Robert C. Sneed	300 East 30th Street 3001-3003 Speedway	From "B" Residence 2nd Height & Area To "C-1" Commercial 2nd Height & Area NOT Recommended by the Planning Commission
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MR. SNEED represented the applicant, stating the proposed use was for a drive-in grocery store for Mr. Ballard. Another drive-in is proposed on San Jacinto and 30th, and the zoning had just been granted this morning. Mr. Sneed stated the location on Speedway is better for this type of business, and the traffic problem would not be as much as that created by Mr. Jung at this other location. "C-1" Commercial is the highest and best use for this property he was representing, and would best serve the area with the least amount of congestion. The Director of Planning reviewed the Planning Commission's recommendation, stating this area north of 30th was considered to be an apartment area, and there was an intersection problem with Speedway, San Jacinto and 30th Streets. Mr. Sneed pointed out the main problem in the University area was the matter of parking; and if the applicant came in with an efficiency type of apartment there would be a tremendous parking problem. With the other uses that U-Totem has along with its stores, this development would be a credit to the neighborhood. Councilman White wanted to make an on-site inspection of the Area. Later in the afternoon meeting, the Council discussed this zoning again. The Director of Planning stated if the Council decided to vote this, limiting it to the building only and grant "LR" Local Retail that would hold the density. The Council postponed action until the following week.

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The Council recessed until 3:00 P.M.

RECESSED MEETING 3:00 P.M.

At 3:00 P.M. the Council resumed its business.

MR. JESSE GARCIA appeared before the Council and stated since the Baseball season was over, he wanted to go on record of commending the Police Association, the policemen, and Chief Miles for what they did for the children in the east part of the City. The Police Association not only helps the children learn a sport, but helps them to realize a policeman is their best friend, and to realize a respect for the law.

Mayor Palmer presented CHIEF ROBERT MILES the Walker Safety Award from the National Police Officers Association, to the Austin Police Department.

MR. ERSSELL DUKE appeared before the Council to discuss the exchange of property, which he represented, located on Balcones Drive for three acres of land the City owns on Northland Drive. After a detailed, lengthy discussion, Councilman Long moved that the City Manager be instructed to enter into an agreement with Greater Austin Presbyterian U.S. Development Board under the terms of which the City would convey to the COVENANT PRESBYTERIAN CHURCH for church property only, three acres of land of approximately 203' fronting on the south side of Northland Drive in exchange for conveyance to the City of property on Balcones Drive owned by the Greater Austin Presbyterian U. S. Development Board plus the payment to the City of \$5,436.00. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager distributed copies of proposed regulations for pool halls as suggested by the Chief of Police. He asked the Council to study these and stated it could pass an ordinance next Thursday.

The City Manager gave a detailed report on the construction of the South Austin sanitary sewer outfall line from the east to the west under Congress Avenue, South 1st Street, and Barton Springs Road, and on the two methods that could be used. The consulting engineers had recommended using the linoplate method for tunneling under the streets; but the Water and Sewer Engineers recommended the "jacking" method. The City Manager explained these methods, and what could develop in both cases, and what would be involved. He discussed the two bids and stated the Law Department was not quite ready for this contract to be awarded today. Councilman Long moved that the Council meet at 10:00 A.M. Monday morning and consider awarding the contract for the South Austin sanitary sewer outfall line. (August 19, 1963) The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

There being no further business, Councilman White moved that the Council adjourn. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 5:50 P.M., subject to the call of the Mayor.

ATTEST:

John W. ...
City Clerk

APPROVED

Robert E. Palmer
Mayor